

PCT DHC 5260
IC20 Rec'd PCT/PTO 07 MAY 2002

Utility Patent Application Docket No. **00977-US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARK LAWRENCE

Serial No.: 10/049,408

Filed: February 6, 2002

For: **VIRTUAL DESIGN STUDIO SYSTEM**

)
)
) Group Art Unit: N/A

)
) Examiner: N/A

)
) Costa Mesa, CA 92626

)
) April 24, 2002
)

REQUEST TO REVIVE ABANDONED APPLICATION

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

Dear Commissioner:

Responsive to the Notice of Abandonment mailed April 16, 2002, copy enclosed, Applicant hereby requests that the Abandonment be withdrawn.

REMARKS

On February 6, 2002, Applicant's attorney forwarded a filing under 35 U.S.C. 371, copy enclosed, together with copy of postcard receipt. A check for \$472 was included therewith to pay the required filing fee (copy enclosed).

However, although the USPTO was paid for and performed both the ISA and the IPEA, the incorrect box was inadvertently checked on the transmittal letter. Therefore, since Applicant is a small entity and the ISA and IPEA were performed by the USPTO, but the claims did not satisfy provisions of PCT Article 33(1)-(4), the filing fee should have been either \$355 or \$370. Additionally, since

there were 23 additional claims, a further \$27 is due, or a total of from \$382 to \$397.

In conclusion, Applicant incorrectly overpaid the amount due by from \$90 to \$75 and this application should not have been abandoned.

Please reinstate this application and forward Applicant's attorney an Official Filing Receipt. Also, please refund Applicant the overpaid amount.

If there are any questions with regard to this request, please contact Applicant's attorney at the facsimile number or telephone number set forth below.

Respectfully submitted,

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on

April 24, 2002
(Date of deposit)

Dona L. Hogge
(Name of person making deposit)

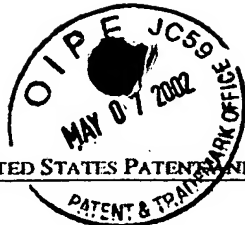
Dona L. Hogge
(Signature)

4/24/02
(Date of signature)

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UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,408	Mark Lawrence	00977-US

INTERNATIONAL APPLICATION NO.

PCT/US00/22442

I.A. FILING DATE	PRIORITY DATE
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08/16/2000

James G O'Neill
 3151 Airway Avenue Suite K 105
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RECEIVED
 04/22/02

CONFIRMATION NO. 1069

371
 ABANDONMENT/TERMINATION
 LETTER



OC000000007857840

Date Mailed: 04/16/2002

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PATRICIA A BOOKER

 Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

10/049408